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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	85011412
Applicant	TIBBO TECHNOLOGY INC.
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Submission	Applicant's Motion to Suspend
Attachments	Request for suspension of appeal.pdf ( 2 pages )(59280 bytes )
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Date	08/16/2011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Applicant: TIBBO TECHNOLOGY INC.

Serial No.: 85011412

Filed: April 12, 2010

Mark: MINIMO

Docket No.: 5690/0162TUS1

**MOTION TO SUSPEND APPEAL**

Applicant hereby requests suspension of the ex parte appeal regarding the above-referenced application for the reasons set forth below.

The Examining Attorney has maintained and made final the refusal to register Applicant's mark under Trademark Act Section 2(d) based upon prior U.S. Registration No. 2979968. Applicant filed a Notice of Appeal on August 16, 2011 in connection with the final refusal to register issued by the Examining Attorney. However, Applicant notes that a § 8 Declaration of Continued Use was due in connection with U.S. Registration No. 2979968 by July 26, 2011. According to the USPTO database, no § 8 Declaration of Continued Use has been filed to date in connection with Registration No. 2979968. Therefore, the cited registration is currently in the six-month grace period for filing a § 8 Declaration of Continued Use. If the owner of Registration No. 2979968 does not file a § 8 Declaration of Continued Use by January 26, 2012, the cited registration will be cancelled.

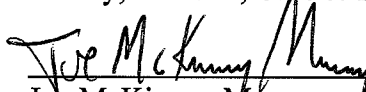
In view of the above, pursuant to 37 CFR § 2.117, Applicant hereby requests suspension of the appeal pending a determination of whether U.S. Registration No. 2979968 will be cancelled for failure to file a § 8 Declaration of Continued Use. As Applicant's request for

suspension is after the fifth anniversary of the issue date of the cited registration, Applicant submits that its request for suspension is timely under TBMP § 1213. Therefore, for the reasons set forth above, Applicant respectfully requests suspension of the appeal.

Respectfully submitted,

Muncy, Geissler, Olds & Lowe, PLLC

Date: August 16, 2011

  
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